

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CEMENT & CONCRETE WORKERS DISTRICT
COUNCIL PENSION FUND

Plaintiff

v.

HEWLETT PACKARD COMPANY, and MARK
A. HURD,

Defendants

CIVIL ACTION NO.: 12-CV-04115
(PJH)

CLASS ACTION

[PROPOSED] ORDER

DATE: November 28, 2012

TIME: 9:00 a.m.

JUDGE: Honorable Phyllis J. Hamilton

CTRM: 3 – 3rd Floor

WHEREAS, the Court has considered the motion of Retail Wholesale & Department Store Union Local 338 Retirement Fund (“Local 338”) for Appointment of Lead Plaintiff and Approval of Lead Counsel and Liaison Counsel,

IT IS HEREBY ORDERED THAT:

1. Having reviewed all pending Motions and accompanying Memoranda of Law, the Court hereby appoints Local 338 as Lead Plaintiff. Lead Plaintiff satisfies the requirements for Lead Plaintiff pursuant to Section 21D(a)(3)(B)(iii) of the PSLRA.
2. Lead Plaintiff, pursuant to Section 21D(a)(3)(B)(v) of the PSLRA, has selected and retained the law firm of Kirby McInerney LLP as Lead Counsel and Glancy Binkow & Goldberg LLP as Liaison Counsel in this action, and the Court hereby approves these selections.
3. Plaintiff’s Lead Counsel shall have the following responsibilities and duties, to be carried out either personally or through counsel whom Lead Counsel shall designate:
 - a. To coordinate the briefing and argument of motions;
 - b. To coordinate the conduct of discovery proceedings;

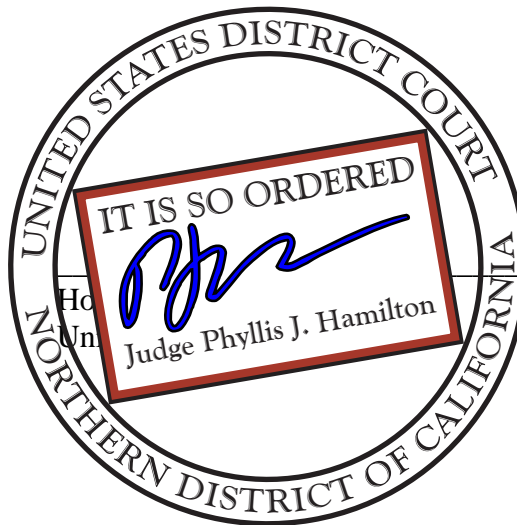
[PROPOSED] ORDER

- c. To coordinate the examination of witnesses in depositions;
 - d. To coordinate the selection of counsel to act as a spokesperson at pretrial conferences;
 - e. To call meetings of the plaintiffs' counsel as they deem necessary and appropriate from time to time;
 - f. To coordinate all settlement negotiations with defendants' counsel;
 - g. To coordinate and direct the pretrial discovery proceedings and preparation for trial and the trial of this matter and to delegate work responsibilities to selected counsel as may be required; and
 - h. To supervise any other matters concerning the prosecution, resolution, or settlement of this action.
4. No motion, request for discovery, or other pretrial proceedings shall be initiated or filed by any plaintiff without the approval of Lead Counsel, so as to prevent duplicative pleadings or discovery by plaintiffs. No settlement negotiations shall be conducted without approval of Lead Counsel.
 5. Counsel in any related action that is consolidated with this action shall be bound by this organization of plaintiffs' counsel.
 6. Lead Counsel shall have the responsibility of receiving and disseminating Court orders and notices.
 7. Lead Counsel shall be the contact between plaintiffs' counsel and defendants' counsel, as well as the spokesperson for plaintiffs' counsel, and shall direct and coordinate the activities of plaintiffs' counsel.
 8. Defendants shall effect service of papers on plaintiffs by serving a copy of same on Lead Counsel by overnight mail service, electronic, or hand delivery. Plaintiffs shall effect service of papers on defendants by serving a copy of same on defendants' counsel by overnight mail service, electronic, or hand delivery.

1 9. During the pendency of this litigation, or until further order of this Court, the
2 parties shall take reasonable steps to preserve all documents within their possession, custody, or
3 control, including computer-generated and stored information, and materials such as computerized
4 data and electronic mail, containing information relevant to the subject matter of the pending
5 litigation.

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7 **SO ORDERED.**

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9 Dated: 11/9/12



[PROPOSED] ORDER